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HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM: HON'BLE SHRI JAGDISH BHALLA, Ag. C.J. &
HON'BLE SHRI DILIP RAOSAHEB DESHMUKH, J.

MCC NO.402 OF 2007

Petitioners

1. Youth Foundation of India (An Association registered under the Chhattisgarh Societies Registrikaran Adhiniyam, 1973) through its Administrator Padam Parakh, aged about 66 years, S/o Late Shri Baboo Lal Parakh, R/o. Sadar Baazar, Rajnandgaon, Distt. Rajnandgaon.

2. Anshul Khandelwal S/o Shri Chandra Kishore Khandelwal, aged 24 years R/o Shri Chandra Kishore Khandelwal, P.O. Chourai, District Chhindwara (M.P.) presently undergoing internship at C.D.C. & R.I. S. Rajnandgaon (C.G.)

3. Ankita Shrivastava D/o Dr. M.M. Shrivastava aged about 24 years R/o Dr. M.M. Shrivastava, Shree Vila Mukut Nagar, Raigarh 496001, (C.G.) presently undergoing internship at C.D.C. & R.I. S. Rajnandgaon (C.G.)

4. Abhisekh Agrawal S/o Dr. N.K. Agrawal, aged about 24 years R/o Dr. N.K. Agrawal, C/o Agrawal Nursing Home, Basna, Mahasamund – 493554, (C.G.) presently undergoing internship at C.D.C. & R.I. S. Rajnandgaon (C.G.)

5. Ashish Kumar Agrawal S/o Shri Hemant Agrawal, aged about 26 years R/o Shri Hemant Agrawal, Shyam Garments, Bus Stand, Ludeg, Jahspur 496220, (C.G.) presently undergoing internship at C.D.C. & R.I. S. Rajnandgaon (C.G.)

6. Manisha Rajput D/o Shri R.C. Rajput, aged about 27 years R/o Shri R.C. Rajput, Manisha Vihar, Jawahar, Ward, Kanker (C.G.)

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presently undergoing internship at C.D.C. & R.I. S. Rajnandgaon (C.G.)

7. Nidhi Thakur D/o Shri B.M. Thakur, aged about 25 years R/o. Shailendra Nagar HIG C/20, Raipur (C.G.) presently undergoing internship at C.D.C. & R.I. S. Rajnandgaon (C.G.)

8. Piyush Kumar Birla S/o Shri K.L. Birla, aged about 24 years R/o Shri J.K. Birla, D-15 Bajaj Colony-2, New Rajendra Nagar, Raipur (C.G.) presently undergoing internship at C.D.C. & R.I. S. Rajnandgaon (C.G.)

9. Pratibha Agrawal D/o Shri Rajkumar Agrawal, aged about 26 years, R/o Rajkumar Agrawal, Thana Chowk, Kurud Dhamtari, (C.G.) 493663 presently undergoing internship at C.D.C. & R.I. S. Rajnandgaon (C.G.)

10. Rakesh Jagiasi S/o Shri Purushottam Jagiasi, aged about 26 years R/o Shri Purushottam Jagiasi, LIG-13, Housing Board Colony, North Chakradhar Nagar, Stadium Road, Raigarh 496001, (C.G.) presently undergoing internship at C.D.C. & R.I. S. Rajnandgaon (C.G.)

11. Reena Badole D/o Shri G.R. Bodole, aged about 26 years R/o Shri G.R. Bodole, Old Court Area, Palace Road, Jagdalpur, Bastar (C.G.) 494001, presently undergoing internship at C.D.C. & R.I. S. Rajnandgaon (C.G.)

12. Riddhi Golchha S/o Shri Yogesh Golchha, aged about 24 years R/o Yogesh Golchha, Bhomraj Askaran Golchha, Balak Chowk, Dhamtari 493773, (C.G.) presently undergoing internship at C.D.C. & R.I.S. Rajnandgaon (C.G.)

13. Ritu Gupta D/o Shri R.N.Gupta, aged about 28 years R/o Shri R.N.Gupta, S.E.P.H.E. Dept. E-2, Nutan Colony, (LG) Sarkanda, Bilaspur (C.G.) 495001 presently undergoing internship at C.D.C. &

R.I.S. Rajnandgaon (C.G.)

14. Ruchi Bafna D/o Shri Santosh Kumar Bafna, aged about 25 years R/o Shri Santosh Kumar Bafna, Gujari Chowk, Main Road, Balaghat & C/o. Shri Devraj Surana (Adv.) Nanesh Kripa, Civil Line, Raipur (C.G.) presently undergoing internship at C.D.C. & R.I.S. Rajnandgaon (C.G.)

15. Rudra Pratap Singh S/o Shri Nageshwar Pratap Singh, aged about 26 years R/o Shri Nageshwar Pratap Singh, A.S.C.R. Office Collector, Land Record Office Branch, Baikunthpur, Koria 497335, (C.G.) presently undergoing internship at C.D.C. & R.I.S. Rajnandgaon (C.G.)

16. Sharlee Diwan D/o LT. Col. C.C. Diwan, aged about 25 years R/o LT. Col. C.C. Diwan, C/o Rekha Bhaskar Diwan, F-2/1 A, Civil Lines, Raipur (C.G.) presently undergoing internship at C.D.C. & R.I.S. Rajnandgaon (C.G.)

17. Shilpa Dewangan D/o Shri Hari Om P.Dewangan, aged about 26 years R/o Dr.M.K.Dewangan Post-Kharora, Raipur 493225, (C.G.) presently undergoing internship at C.D.C. & R.I.S. Rajnandgaon (C.G.)

18. Shweta Sonkushre D/o Shri Shyam Rao Sonkushre, aged about 23 years R/o Shri Shyam Rao Sonkushre, P.H.E. Office Campus, Infront of Menonight Church, Durg 491001, (C.G.) presently undergoing internship at C.D.C. & R.I.S. Rajnandgaon (C.G.)

19. Sneha Guruwani D/o Shri S.K. Guruwani, aged about 26 years R/o Shri S.K. Guruwani C/o R.K. Agencies, Near Company Garden, Bilaspur, (C.G.) presently undergoing internship at C.D.C. & R.I.S. Rajnandgaon (C.G.)

20. Sudatta Kumar Damle S/o Shri Mahadeo Damle, aged about 27 years R/o Shri Mahadev Damle, Qt. No. 440 Near Buddha Kuti, Shankar Nagar, Durg 491001 presently undergoing internship at C.D.C. & R.I.S. Rajnandgaon (C.G.)

21. Tarun Kumar Sahu S/o Shri Ramesh Chandra Sahu, aged about 28 years R/o Shri Ramesh Chandra Sahu, Behind Chhattisgarh School, Mahasamund, (C.G.) presently undergoing internship at C.D.C. & R.I.S. Rajnandgaon (C.G.)

Versus

Respondents:

1. Union of India Through the Secretary Ministry of Health and Family Welfare (Department of Health) PMS Section, Nirman Bhawan, Maulana Azad Road, New Delhi – 110011.

2. Dental Council of India (Constituted under the Dentist Act, 1948) Through the Chairman Ajwan-a-Galib Marg Kotla Road, New Delhi 110002

3. State of Chhattisgarh Through the Secretary, Department of Health and Family Welfare, DKS Bhawan, Mantralaya, Raipur, Chhattisgarh.

Present : Shri Kanak Tiwari, Senior Advocate with Shri Prashant Mishra, counsel for the petitioners.
Ms. Sharmila Singhai, counsel for Union of India / respondent No.1.
Shri Manindra Shrivastava, Senior Advocate with Shri Raghavendra Pradhan, counsel for Dental Council of India / respondent No.2.
Shri U.N.S. Deo, Government Advocate for the State / respondent No.3.

ORDER

(Passed on 25th September, 2007)

The following Judgment of the Court was delivered by **Hon'ble Jagdish Bhalla, Ag. C.J.**

Heard counsel for the parties.

This is an application for modification of the judgment dated.21.09.2007 wherein it was indicated that *suo motu* the Council has sent 40 students at its own to pursue BDS course.

Learned counsel for the petitioners pointed out that two different cases were argued on the same day, one for the admission of students to Dental college and the other for Agriculture college. The said fact of sending 40 additional students was in fact for the Agriculture college instead of Dental college. Accordingly, modification has been prayed.

Learned counsel for the respondents have no objection to the said modification.

Accordingly, judgment dated 21.09.2007 is modified to the extent that wherever reference of admission of 40 students *suo motu* by the Council is made, it shall not be read at all and any observation in that respect shall also be ignored.

With these observations, judgment dated 21.09.2007 stands modified. Thus this application is disposed of. Counsel for the parties shall inform the Government of India about this modification at the earliest.

Sd/-
Ag. Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

jyotishi